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Art Unit 2145
Serial No.: 09/823,725Reply to Office Action of: 05/08/2006
Attorney Docket No.: K35A0785**REMARKS**

Claims 1, 11, 12, and 17 are pending. Claims 1, 11, and 17 are rejected under 35 USC 102(e) as being anticipated by U.S. Patent No. 6,816,964 issued to Suzuki *et al.* ("Suzuki"). Claim 12 is rejected under 35 USC 103(a) as being unpatentable over Suzuki in view of U.S. Patent No. 6,529,784 issued to Cantos *et al.* ("Cantos"). Applicant respectfully traverses these rejections.

Claim 1 recites "receiving a key file at the client computer, the key file comprising a rule identifying the operation to be performed on the data received at the client computer" and "performing the operation identified by the rule in the key file on the data received at the client computer, wherein: the data is an executable file; and the operation comprises storing the executable file in a startup folder of the client computer." Claim 17 recites "generating a key file comprising a rule identifying an operation to be performed on the data" and "transmitting the data to the at least one client computer, wherein: the data is an executable file; and the operation comprises storing the executable file in a startup folder of the at least one client computer." Applicant respectfully submits that Suzuki fails to describe, either expressly or inherently, the quoted limitations of Claims 1 and 17, nor does the Suzuki-Cantos combination teach, suggest, or disclose such limitations.

The Examiner notes that Suzuki teaches an agent 12 downloaded to a client 200 (col. 8, lines 22-24) and also an execution script S stored in a script file 11 that may be downloaded into the client 200 so that the agent 12 executes installation according to the execution script S (col. 9, lines 31-35; see also col. 6, lines 60-65). The Examiner asserts that this shows the recited key file and executable file, and that the recited operation is shown by the agent 14 executing the execution script S after booting (col. 8, lines 25-37). But contrary to the Examiner's assertion, this does not show the operation recited in the claims. The downloaded executable script S is not stored in a startup folder so that it executes itself on startup. Rather, the agent executes the script. Thus, the agent is not a "key file comprising a rule identifying an operation to be

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performed on the data" wherein "the operation comprises storing the executable file in a startup folder of the at least one client computer." Neither *Cantos* nor any other reference previously cited provides any additional teaching or suggestion to remedy this deficiency. Accordingly, Applicant respectfully submits that Claims 1, 11, 12, and 17 are allowable and respectfully requests reconsideration and allowance of these claims.

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In view of the foregoing amendments and/or remarks, Applicant respectfully submits that the pending claims are now in condition for allowance and requests reconsideration of the rejections. If it is believed that a telephone conversation would expedite the prosecution of the present application, or clarify matters with regard to its allowance, the Examiner is invited to contact the undersigned attorney at the number listed below.

The Commissioner is hereby authorized to charge payment of any required fees associated with this Communication or credit any overpayment to Deposit Account No. 23-1209.

Respectfully submitted,

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